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PTO/SS70 (10/2001)Approved for use through 10/31/2002 OMB 0691-0002
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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/303,315
Filing Date	4/30/99
First Named Inventor	Eugene S. Pearlman
Art Unit	1643
Examiner Name	Mary Zeman
Attorney Docket Number	104-002

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8,

1. Submission required under 37 CFR §1.114**a. ☒ Previously submitted**i. ☒ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on 5/6/2002

(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____iii. ☐ Other _____**b. ☐ Enclosed**i. ☐ Amendment/Replyiii. ☐

Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)iv. ☒Other Petition for Extension of one month**2. Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)b. ☐ Other _____**3. Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____i. ☒ RCE fee required under 37 CFR §1.17(e) 55.00ii. ☒ Extension of time fee (37 CFR §§1.136 and 1.17) 370.00iii. ☐ Other FEE - SHEET (Page 1-3)b. ☐ Check in the amount of \$ _____ enclosedc. ☒ Payment by credit card (Form PTO-2038 enclosed)**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Rashida A. Karmali	Registration No. (Attorney / Agent)	43,705
Signature	Rashida A. Karmali	Date	6/11/2002

CERTIFICATE OF MAILING OR TRANSMISSION EXPRESS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

Name (Print / Type)	Rashida A.J. Karmali
Signature	Rashida A. Karmali
Date	6/11/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

Express Mail Label No. _____

FEE REQUEST TRANSMITTAL (Small Entity) Submit an original, and a duplicate for fee processing. <i>(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))</i>				Docket No. 104.002	
				<input checked="" type="checkbox"/> DUPLICATE <small>(Check box if applicable)</small>	
First Named Inventor		Examiner		Group/Art Unit	
Eugene S. Pearlman		Mary Zeman		1643	
Address to: Assistant Commissioner for Patents Box CPA Washington, D.C. 20231					
This is a request for filing a <input checked="" type="checkbox"/> continuation or <input type="checkbox"/> divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number <u>09/303,315</u> filed on <u>4/30/99</u> and entitled: Algorithmic Testing in Laboratory Medicine					
1. <input checked="" type="checkbox"/> Enter the unentered amendment previously filed on <u>5/6/2002</u> under 37 CFR 1.116 in the prior nonprovisional application. 2. <input type="checkbox"/> A preliminary amendment is enclosed. 3. <input type="checkbox"/> This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4). a. <input type="checkbox"/> DELETE the following inventor(s) named in the prior nonprovisional application: b. <input type="checkbox"/> The inventor(s) to be deleted are set forth on a separate sheet attached hereto. 4. <input type="checkbox"/> A new power of attorney or authorization of agent is enclosed. 5. <input checked="" type="checkbox"/> Small Entity Status: a. <input type="checkbox"/> A small entity statement is enclosed. b. <input checked="" type="checkbox"/> A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired. 6. <input checked="" type="checkbox"/> The fee for this application is calculated as follows:					
CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	15	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$42.00	\$0.00
Multipl Depend nt Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$370.00
TOTAL FILING FEE					\$370.00

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

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7. ☐ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No.

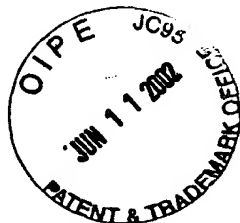
- ☐ fees required under 37 C.F.R. 1.16.
- ☐ fees required under 37 C.F.R. 1.17.
- ☐ fees required under 37 C.F.R. 1.18.

8. ☐ A check in the amount of _____ is enclosed.

9. ☐ An Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449
- b. ☐ Copies of IDS Citations

10. ☐ Also enclosed:

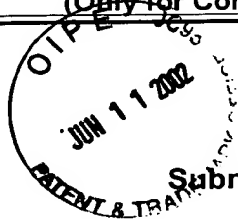


11. ☒ The prior application's correspondence address will carry over to this CPA ^{RCE} UNLESS a new correspondence address is provided below:

99 Wall Street, 10th Floor
New York, New York 10005

NEW.

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))



NOTES

Submit an original, and a duplicate for fee processing.

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FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: **June 11, 2002**


Signature

Rashida A. Karmali

Typed or printed name

43,705

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☐ Attorney or agent of record

cc: